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10/034,485	12/28/2001	Jong-Uk Choi	01122-1000	2206

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EXAMINER
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BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Application Number: 10/034,485
Filing Date: December 28, 2001
Appellant(s): CHOI ET AL.

Christopher D. Ward
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 11/27/2007 appealing from the Office action mailed

4/27/2007.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The following are the related appeals, interferences, and judicial proceedings known to the examiner which may be related to, directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal:

In a letter filed on 12/12/2007, Appellant indicated that a relating appeal is pending before the Board with regards to Application number 10/136,584.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

2002/0210084 A1   FRANSDONK   9-2006

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 24, 25, 26, and 39 rejected under 35 U.S.C. 102(e) as being anticipated by

Fransdonk, US 2006/0210084 A1.

Fransdonk discloses:

24. (Previously Presented) A method for providing security, the method comprising:

creating a unique user key using system information of a user terminal; and

transmitting digital information and user information including the unique user key to a server

system via a network, wherein the unique user key is transmitted by a user application tool

installed in the user terminal for authentication [0105, 126, 146, 183, 202, 210-221].

25. (Previously Presented) The method according to claim 39, wherein the rule includes one or

more of authority of storage, authority of print, authority of allowable time for use, or authority

of transfer of the data [0235, 238, 252-263, 273-295].

26. (Previously Presented) The method according to claim 24, wherein the system information

includes at least one of unique CPU (Central Processing Unit) information, RAM (Random

Access Memory) information, HDD (Hard Disk Drive) information, or serial number

information of the user terminal [0105-107, 146, 162].

39. (Previously Presented) The method according to claim 24, further comprising:

encrypting data and the user information including the unique user key transmitted from the user

terminal; storing the encrypted user information and the encrypted data in the server system;

establishing a rule corresponding to the user information and the data; encrypting the rule and a

decryption key for decrypting the digital information using the unique user key; combining the

encrypted data, the encrypted rule and the encrypted decryption key into combined information;

storing the combined information; performing a user authentication process by comparing the

unique user key stored in the server with the unique user key subsequently transmitted from the

user application tool of the user terminal for authentication; transmitting the combined

information from the server system to the user application tool via the network after completing

the user authentication process, when the user terminal requests a download of the data; and

determining, with the user application tool, whether the data should be decrypted by determining

whether the key used for encrypting the decryption key matches the unique user key created by

the user application tool (see Figs. 8A, 8B, 9, 18 and associated text; 0047-0066, 0071-88, 0107,

0113, 0122).

Although the Examiner has pointed out particular references contained in the prior art(s) of

record in the body of this action, the specified citations are merely representative of the

teachings in the art as applied to the specific limitations within the individual claim. Since

other passages and figures may apply to the claimed invention as well, it is respectfully

requested that the applicant, in preparing the response, to consider fully the entire references

as potentially teaching all or part of the claimed invention, as well as the context of the

passage as taught by the prior arts or disclosed by the examiner.

(10) Response to Argument

Appellant argues the cited reference fails to disclose "creating a unique user key using system information of a user terminal" as recited in claim 24 (brief pp. 5-8)." As indicated on page 6 of Appellant's brief and cited in the Final rejection, paragraph [0202] discloses that the conditional access agent 48 "generates a unique user key [wherein] the unique user key may be encrypted utilizing a public key of the secure device 46." Fransdonk generates a unique user key utilizing system information of a user terminal (public key of the secure device), as recited in claim 24.

Appellant further contends the cited reference fails to disclose "the unique user key is transmitted by a user application[1] tool installed in the user terminal for authentication (brief pp. 9-10)." As provided in paragraph [0221] of Fransdonk, "during delivery to a conditional access client 48, the conditional access agent 28 replaces the session keys encrypted with the product key (S.sub.p) with session keys encrypted with a unique user key (U.sub.k), instead of the product key (S.sub.p). Specifically, prior to deliver to a conditional access client 48, the conditional access agent 28 decrypts the encrypted product key received from the conditional access server 36 utilizing the private key (or secret key) of the conditional access agent 28, decrypts the sequence of session keys encrypted with the product key, and then re-encrypts the sequence of session keys utilizing the unique user key (U.sub.k). The re-encrypted sequence of session keys is then distributed from the conditional access agent 28 to the conditional access client 48, as indicated at 108. The conditional access agent 28 also distributes the unique user

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[1] It is common in the art to speak of software, in one form or another (e.g., program, procedure, process, application, module, logic . . .), as taking an action or causing a result. Such expressions are merely a shorthand way of saying that execution of the software by a machine, such as the computer system 700, to perform an action or a produce a result [0369].

key (U.sub.k) to the conditional access client 48 via a secure authorization channel, as indicated in FIG. 8B at 110." The authentication module prior delivering to the client re-encrypts the sequence of session keys utilizing the unique user key. The conditional access agent distributes the unique user key to the client via a secure authorization channel. At the client, the user key is utilized to decrypt the re-encrypted sequence of session keys, the decrypted session keys then in turn decrypt the encrypted content upon authentication. Id at 0221-222.

Furthermore, support for the Examiner's position is evident by the limitation recited in claim 39 wherein user authentication process is merely a comparison of the unique user key as indicated above. Since claims 25, 26 and 39 are dependent on independent claim 24, the Examiner respectfully requests that the rejection be sustained because Fransdonk clearly anticipated the claimed subject matter as recited.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

/Bradley B Bayat/
Primary Examiner, Art Unit 3621

Conferees:

/ANDREW J. FISCHER/
Supervisory Patent Examiner, Art Unit 3621

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